

At the Regular Meeting of the Greenville County Board of Supervisors, held on Monday, December 21, 2009, with Closed Session beginning at 4:00 P.M., and Regular Session beginning at 6:00 p.m., in the Board Room of the Greenville County Government Building, 1781 Greenville County Circle, Emporia, Virginia.

Present: Peggy R. Wiley, Chairman  
Michael W. Ferguson, Vice-Chairman  
James C. Vaughan  
Dr. Margaret T. Lee

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The meeting was called to order by Chairman Wiley at 4:00 p.m.

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In Re: Closed Session

Mr. Whittington, County Administrator, stated that Staff recommended the Board go into Closed Session, Section 2.2-3711 (a) 1) Personnel, and 5) Industrial Development Matters.

Supervisor Ferguson moved, seconded by Supervisor Lee, to go into Closed Session, as recommended by Staff. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

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In Re: Regular Session

Supervisor Lee moved, seconded by Supervisor Vaughan, to go into Regular Session. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

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In Re: Certification of Closed Meeting – Resolution #10-84

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to adopt the following Resolution. A roll call vote was taken, as follows: Supervisor Ferguson, aye; Supervisor Lee, aye; Supervisor Vaughan, aye; and Chairman Wiley, aye.

**RESOLUTION #10-84**  
**CERTIFICATION OF CLOSED MEETING**

**WHEREAS**, the Greenville County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

**WHEREAS**, Section 2.2-3712 of the Code of Virginia requires a certification by the Greenville County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law:

**NOW, THEREFORE, BE IT RESOLVED** that the Greenville County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Greenville County Board of Supervisors.

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Chairman Wiley recessed the meeting.

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Chairman Wiley reconvened the meeting at 6:00 p.m., at which time she led the Pledge of Allegiance and gave the Invocation.

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In Re: Approval of Agenda

Mr. Whittington, County Administrator, stated that Staff recommended approval of the Agenda with three added items – One additional Legal Matter in Closed Session and two items added in Regular Session – Marketing the Perdue Building and the Business Incubator.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve the Agenda as amended. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

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In Re: Approval of Consent Agenda

Mr. Whittington stated that Staff recommended approval of the Consent Agenda.

Supervisor Lee moved, seconded by Supervisor Ferguson, to approve the Consent Agenda containing the following items. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

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Minutes from the Meeting of December 7, 2009

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#### Budgetary Matters

Budgetary Matters consisting of the following: Fund #001 – Budget Amendment Resolution #10-85, in the amount of \$6,355.61, which is incorporated herein by reference.

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#### Warrants:

Approval of Accounts Payable for December 21, 2009, in the amount of \$246,667.04

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#### In Re: Citizens Comments

Mr. Whittington invited anyone present who wished to address the Supervisors, to come forward and state their name for the record.

Mr. Todd Daniels addressed the Board of Supervisors and commented on the license fees. He stated that he received statements showing that he would have to pay for a 96 Harley Davidson Motorcycle in which he did not have any more. Mr. Daniels stated that it was sold this year but the statements showed he would have to pay license fees for next year. He asked why he had to pay for something he no longer owned.

Mrs. Martha Swenson, Commissioner of the Revenue, addressed the Board of Supervisors and read the license ordinance into record. After reading the ordinance, Mrs. Swenson stated that the code was adopted in 2008 and that if anyone had a vehicle on January 1 and owed personal property taxes, they also owed the license fee. She stated that the County did not prorate. She also stated that if anyone bought a vehicle after January 1, 2009, the citizen did not have to pay personal property tax or license fees on or before December 5<sup>th</sup> of the next year which left about two years before you had to pay the license fee or personal property taxes.

At that point, there was a lot of conversation between Mrs. Swenson and Mr. Daniels concerning the license fee. Mr. Daniels further commented that he felt the citizens were being taxed twice for the year of 2008. Extensive discussion was held among Mr. Daniels, the Board of Supervisors and the Commissioner of Revenue.

Chairman Wiley stated that Staff and the Board of Supervisors would need to review the code ordinance before arriving at a conclusion. She stated that the matter would need to be put on hold until such time.

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In Re: Health Insurance Consulting

Mr. Whittington addressed the Board of Supervisors stating that Staff was recommending the item be deferred for further review until the next meeting.

Supervisor Lee moved, seconded by Supervisor Ferguson, to defer the item until the next meeting. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

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In Re: Citizens Emergency Response Team Grant Funds (CERT)

Mr. Reggie Owens addressed the Board of Supervisors stating that Staff requested authorization to apply for the CERT grant funds through the Virginia Department of Emergency Management and requested approval of the following resolution.

**RESOLUTION #10-86  
CITIZENS EMERGENCY RESPONSE TEAM (CERT)**

**WHEREAS**, the Virginia Department of Emergency Management is requesting an application for the allocation of CERT grant funds for Citizens Preparedness; and

**WHEREAS**, the CERT grant funds will be awarded by the Grant Preparedness Directorate, United States Department of Homeland Security and administered by the Commonwealth in the amount of \$16,650.00; and

**WHEREAS**, the obligation period for this program is September 1, 2008 to December 31, 2010.

**THEREFORE, BE IT RESOLVED**, that the Greenville County Board of Supervisors wishes to apply for the allocation of grant funds in the amount \$16,650.00 through the Virginia Department of Emergency Management.

**BE IT FURTHER RESOLVED**, that K. David Whittington is hereby authorized to sign and submit appropriate documents for the allocation of the

CERT grant funds with the Virginia Department of Emergency Management for Citizens Preparedness.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve Resolution #10-86. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

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In Re: Industrial Railroad Spur Repair

Mr. Owens addressed the Board of Supervisors stating that Staff requested authorization to use the Request for Proposal (RFP) Method of Procurement rather than the bid process. He requested approval of the following resolution.

**RESOLUTION #10-87**  
**DETERMINATION TO PROCURE GOODS AND NONPROFESSIONAL**  
**SERVICES BY COMPETITIVE NEGOTIATION**

**WHEREAS**, Virginia Code Section 2.2-4303.C. requires that when goods and nonprofessional services are to be procured by competitive negotiation, rather than by competitive sealed bidding, the governing body shall adopt a resolution declaring its intent to procure by competitive negotiation, and stating the reasons therefore; and

**WHEREAS**, the Board of Supervisors of Greensville County, Virginia ("Board"), wishes to request proposals for the repair to the railroad spur located within the Industrial Park; and

**WHEREAS**, the Board has determined that procurement of said services by competitive sealed bidding is neither practicable nor fiscally advantageous to Greensville County citizens; and

**WHEREAS**, the Board has determined that the best interests of Greensville County citizens would be served by procurement of said services by competitive negotiation, to save costs which would be incurred to retain an expert to prepare an Invitation to Bid, to afford vendors some flexibility in making proposals, to enable the Board and the County staff to become acquainted with needed services through the competitive negotiation process, and to enable the County staff to personally evaluate the individuals by whom the procured services would be provided to Greensville County.

**IT IS, ACCORDINGLY, HEREBY RESOLVED**, that the Board has determined that procurement of the inspection/repairs to the railroad spur by competitive sealed bidding is neither practicable nor fiscally advantageous to Greensville County citizens, and that said services should therefore be procured by competitive negotiation.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to approve Resolution #10-87. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

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In Re: Fuel Bids

Mr. Mike Veliky, Building Official, addressed the Board of Supervisors stating that bids for providing gasoline, diesel, heating fuel, and propane for Greenville County, the Greenville County Water and Sewer Authority, and the Southside Regional Jail for the 2010 calendar year were opened at 2:00 p.m. on December 15, 2009. He stated that Staff's recommendation was to award to the lowest bidder in each of the perspective categories. Mr. Veliky stated that approving the bids as they were would give Sadler Brothers Oil Company the 89 octane gasoline and the fleet diesel, Parker Oil Company would get the 87 Octane, high sulfur heating fuel and the all road diesel as well as the propane.

Supervisor Ferguson moved, seconded by Supervisor Lee, to award the fuel bids to the perspective lowest bidder. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

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In Re: Marketing of the Perdue Building

Mrs. Natalie Slate, Deputy County Administrator, stated that the Tobacco Commission had awarded a grant to Greenville County in the amount of \$28,000 to perform a feasibility study and identify future uses of the abandoned Perdue facility in Greenville County. She stated that RFP's were accepted by County Staff for consultants to perform the services. Mrs. Slate stated that Staff recommended awarding the contract to CH2M Hill and to authorize negotiations of a contract not to exceed \$28,000 contingent upon the County Attorney's review.

Supervisor Vaughan moved, seconded by Supervisor Lee, to award the contract to CH2M Hill not to exceed \$28,000. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

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In Re: Business Incubators

Mrs. Slate stated that the County had also received a planning grant from the Virginia Community Development for \$25,000 to perform a feasibility study for a business incubator in this area. She stated that RFP's were accepted by the Staff for a

consultant to perform the services. Mrs. Slate stated that Staff recommended awarding the contract to Mangum Consulting Incorporated of Richmond VA and to authorize a contract not to exceed \$25,000 contingent upon the County Attorney's review and DHCD approval.

Supervisor Lee moved, seconded by Supervisor Ferguson, to accept Staff's recommendation. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

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There being no further business, Supervisor Lee moved, seconded by Supervisor Ferguson, to adjourn. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

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Peggy R. Wiley, Chairman

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K. David Whittington, Clerk